01PE 161

Docket No. CDS-215

NCT 2 7 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Randy K. Bower et al.

Serial No.: 09/482,599

Art Unit: 1743

Filed

: January 13, 2000

Examiner: P.K. Bex

For

: FAILURE DETECTION IN AUTOMATED CLINICAL ANALYZERS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

10/23/03 (Date of Deposit)

Todd J. Burns (Hame of applicant, assignee, or Registered Representative)

(Signa)

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on April 3, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with \$1.129(a), this Information Disclosure Statement is being filed in connection with \(\Bar{\sqrt{}}\) the first or | Second After Final Submission, therefore: Statement in Accordance with \$1.97(e) (attached); or \Box Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in

☐ In accordance with \$1.97(c), this Information

Disclosure Statement is being filed after the period set forth

in \$1.97(b) above but before the mailing date of either a Final

Action under \$1.113 or a Notice of Allowance under \$1.311, or an

action that otherwise closes prosecution and that it is

accompanied by one of:

\$1.17(p).

\boxtimes	Statement in Accordance with §1.97(e)
	(attached); or
	Please charge Deposit Account No. 10-
	0750/ / the fee of $$180.00$ as set forth
	in §1.17(p).
☐ In a	ccordance with §1.97(d), this Information
Disclosure Sta	tement is being filed after the mailing date of
either a Final	Action under §1.113 or a Notice of Allowance
under §1.311	but before the payment of the Issue Fee.
Applicant(s) h	ereby petition(s) for consideration of this
Information Di	sclosure Statement. Included are: Statement in
Accordance wit	h §1.97(e) as set forth below and the fee of
\$180.00 as set	forth in §1.17(p).
	es of each of the references listed on the
attached Form	PTO-1449 are enclosed herewith.
□ Coni	es of references listed on the attached Form PTO
	sed herewith EXCEPT THAT:
iii) are enere	dea nerewren Brest i inni.
	In view of the voluminous nature of references
	[list as appropriate], and the likelihood that
	these references are available to the Examiner,
	copies are not enclosed herewith.
	The same of the fewereing publications are not
	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
	re are no listed references which are not in the
English langua	ge.

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The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CDS-215/TJB. This form is submitted in triplicate.

Respectfully submitted,

Todd 9. Burns

Reg. No. 38,011

Attorney for Applicants

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DATED: 10/23/07

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

09/482,599
January 13, 2000
Randy K. Bower et al.
1743
P.K. Bex
CDS-215

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite	U.S. Patent Document Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, where relevant passages or relevant figures appear	
		5,005,434	A	Yoshio Watanabe et al.	04-09-1991	·
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FOREIGN PATENT DOCUMENTS Date of Publication Foreign Patent Document Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or Examiner sages or relevant T٥ mm-dd-yyyy Applicant of Cited Document Initials figures appear Office³ Number⁴ KindCode5 No.1 EΡ 0 506 022 Α Kabushiki Kaisha Toshiba 09-30-1992 0 866 336 Α EP Precision System Science Co. Ltd. 09-23-1998 ΕP 0 527 059 Α Toa Medical Electronics 02-10-1993

Examiner	Date
Signature	
Signature	Considered

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents, 5 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3), 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English tanguage Translation is attached.

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SUBMISSION UNDER MPEP 609 D

Application Number 09/482,599
Filing Date January 13, 2000
First Named Inventor Randy Bower et al.
Group Art Unit 1743
Examiner Name P.K. Bex
Attorney Docket Number CDS-215

Page 1 of 1

U.S. PATENT DOCUMENTS						
		Nome of Potentee or Applicant	U.S. Patent Document	Pages, Columns, Lines,		
Examiner Initials			Number Kind Code ² (if known)		where relevant passages or relevant figures appear	
		FOREIGN F	PATENT DOCUMENTS			

Examiner Initials	Cite	Name of Patentee or Applicant of Cited Document	Foreign Pa	atent Document	t indCode ⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	T [®]
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	<u> </u>	OTHER PRIOR ART - N					
Examiner 's Initials*	er Cite No.1 Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				T²		
		EPO Search Report, dated August 25, 2003, for EPO Appin. No. EP 01 30 0244					

Examiner	Date	
Signature	Considered	